

GEORGE B. CUSTER.

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APRIL 3, 1896.—Committed to the Committee of the Whole House and ordered to be printed.

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Mr. PICKLER, from the Committee on Invalid Pensions, submitted the following

REPORT:

[To accompany S. 1806.]

The Committee on Invalid Pensions, to whom was referred the bill (S. 1806) granting a pension to George B. Custer, having carefully considered the facts in the case, respectfully report:

An application for pension in this case was filed by the claimant, George B. Custer, November 3, 1879, under the act of July 14, 1862, for injuries to the right hand, right foot, and right ankle. The claim was rejected by the Pension Bureau on the ground that the claimant had failed to establish origin of injuries in the service and line of duty.

The facts of the case, from the evidence filed by claimant and the reports of the various special examiners, are as follows:

The claimant, George B. Custer, is a Mexican war veteran and is now drawing a pension of \$8 per month for services in that war.

He enlisted in the Seventy-third Indiana Volunteer Infantry for the war of the rebellion July 21, 1862, and served until mustered out July 1, 1865.

The claimant alleged in his application for pension that he incurred serious injuries to his right hand, right foot, and ankle while in service and line of duty. That the said injuries were incurred in February, 1863, while he was on detail service in a pioneer corps; that he was the only person detailed from his company on such duty, and that all the other members of the pioneer corps were strangers to him. That in February, 1863, as above stated, he, with others of the pioneer corps, was engaged in building a railroad bridge across a creek called Squirrel Creek, near Stone River, Tennessee, and while helping to raise a "bent" in said bridge and helping to lift the timbers by means of a pry, the other men let go and the weight of the heavy timbers came on claimant and, his foot slipping, he was pressed to the ground under the hand-spike and his right hand and foot caught underneath and badly injured.

The records of the War Department show that in March and April, 1863, he was in hospital, but the nature of his disability is not stated.

The testimony shows that claimant was an able-bodied, healthy man at enlistment, and was without injury up to the time he was detached from his company for detail in the pioneer corps.

The lieutenant of claimant's company states that claimant was an excellent soldier, faithful in the discharge of his duties, and one of the most reliable men he ever knew. That he remembers that claimant was detached for duty in the pioneer corps, and that when he returned

to the company he complained of some injury; that his hand was bandaged or in a sling. Does not remember just what the injuries were, but remembers distinctly that claimant was suffering from varicose veins in his leg, which claimant had shown him. That shortly after claimant's return to his company the regiment was ordered off on a raid and claimant was left behind for treatment for his injuries. He also remembers that claimant was returned to the company because he was unfit for duty in the pioneer corps. That on the raid referred to deponent was taken prisoner and detained for nineteen months and did not again see claimant.

The captain of Company H, Seventy-third Indiana Volunteer Infantry, testifies that he knew the claimant three years before the war, and that he was an able-bodied, healthy man. Does not remember of any disability during service, and does not remember condition at discharge. Has seen claimant once since discharge, when he complained of some injury, but does not remember the name or nature of the disability.

Lieut. Wilson Daily, of Company I, Seventy-third Indiana Volunteer Infantry, who had served in Company H as orderly sergeant, testifies that he commanded Company H for some eight months during absence of officers. That he knew claimant well, and that he was a good soldier, always ready for duty until he met with an accident while detailed with pioneer corps, at Stone River, Tennessee. That deponent did not witness the accident, but when claimant returned to the company shortly afterwards he told deponent of the injury to his hand and foot. Distinctly remembers claimant complaining of his injuries. Has not seen claimant since his discharge in 1865.

Several comrades testify to injuries in a vague way.

The rest of the evidence in this case is composed of the testimony of neighbors of claimant before his enlistment and since his discharge, which, although not of the kind that is required by the Bureau to establish origin in service, still, in a general way, confirms the truth of claimant's statements as to the cause of injury and consequent disability.

Twelve special examiners have investigated this case, seven of whom report the case as meritorious, two report it as of doubtful merit, and three as devoid of merit.

The certificates of the different boards of examining surgeons, before whom the claimant has at various times been ordered, show the existence of the injuries as alleged by claimant and his consequent disability, and give him a rating of eighteen-eightieths.

His right hand at this time is almost useless, and he walks with great difficulty by reason of injury to right foot. He is now in very feeble health, and is in his seventy-second year.

Your committee respectfully recommend the passage of the bill.